A.—Sri H. S. RUDRAPPA (Minister for Agriculture).—

(*a*) Yes.

(*b*) Yes.

(*c*) and (*d*) The matter is under the consideration of Government.

(*e*) Information from the Indian Council of Agricultural Research is awaited.

Member's Representation.

Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—Sir, I find in this Hall that there is something missing, that something very important is missing. After a very great sanctity and ceremony, we installed the portrait of Sardar Patel and I do not know if it is shifted to some other place. If it is so, I think, on a matter like this, if any action is taken, the members must know what has happened.

Mr. SPEAKER.—I may inform the Hon'ble Members that it has been removed to be better framed.

ADJOURNMENT MOTIONS.

Sri C. J. MUCKANNAPPA (Gubbi).—Sir, I have sent an adjournment motion to be taken up to-day.

Mr. SPEAKER.—Your adjournment motion will be taken up tomorrow.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—Sir, I have also tabled two adjournment motions. May I know their fate ?

Mr. SPEAKER.—We are taking up two adjournment motions to-day, one by Sri Y. Veerappa, and the other one by Sri Arumugham. The Hon'ble Minister will make a statement and after that I will give the ruling. In respect of both the adjournment motions, statements will be made.

A MEMBER.—Will there be no discussion, Sir ?

Mr. SPEAKER.—There will be no discussion.

Sri M. C. NARASIMHAN.—What about my adjournment motions ?

Mr. SPEAKER.—We will take up tomorrow. We are taking up two to-day and the rest will be taken up tomorrow.

ಶ್ರೀ ಎನ್. ಜಿ. ನರಸಿಂಹೇಗೌಡ (ಶ್ರವಣಬೆಳಗೊಳ).—ಅಧ್ಯಕ್ಷರೇ, ಒಂದು ವಿಷಯವನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬೇಕಾಗಿದೆ. ಹಿಂದಿನ ಅಸೆಂಬ್ಲಿ ಸೆಷನ್ನಿನಲ್ಲಿ ಗೊರೂರು ಅಣೆಕಟ್ಟಿನ ವಿಷಯದಲ್ಲಿ ಒಂದು ಷಾರ್ಟ್ ನೋಟೀಸ್ ಪ್ರಶ್ನೆಯನ್ನು ಕಳಿಸಿದ್ದೆ. ಅದೇನಾಯತೋ ಇಲ್ಲಿಯವರೆಗೆ ಗೊತ್ತಾಗಲಿಲ್ಲ.

ಅಧ್ಯಕ್ಷರು.—ಅಂತಹ ಪ್ರಶ್ನೆಗಳನ್ನು ಇಲ್ಲಿ ಕೇಳಿದರೆ ಹೇಗೆ ? We shall settle it outside ; I will expedite.

Sri C. J. MUCKANNAPPA.—I seek a clarification from the Chair. Before the Minister is asked to reply, are we not entitled to offer our remarks on the motion that is just before the House ?

Mr. SPEAKER.—Today, there are two motions—one is by Hon'ble Member Sri Y. Veerappa and the other stands in the name of Sri Arumugham and those two are being considered now. After the statement of the Hon'ble Minister concerned, I will look into it as to whether I can allow it.

ಶ್ರೀ ಎಂ. ರಾಮಪ್ಪ (ಹರಿಹರ).—ಮಿನಿಸ್ಟರು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುವುದಕ್ಕೆ ಮೊದಲು ತಾವು ಈಗ ಬಂದಿರುವ ಅಡ್ಜರ್ನ್‌ಮೆಂಟ್ ಮೋಷನ್ನು ಏನು ಎನ್ನುವುದನ್ನು ತಿಳಿಸಿದರೆ ಚೆನ್ನಾಗಿರುತ್ತದೆ.

Mr. SPEAKER.—I will read out the motions. The first one is :

> "This Assembly do now stand adjourned to discuss a definite matter of urgent public importance to wit the situation arising out of the recent Chandramandala Explosion reported to have taken place in the Sri Rangacharlu Town Hall premises at Mysore on the occasion of Independence Day Celebrations."

The other one is :

> "That this Assembly do stand adjourned to discuss a definite matter of urgent public importance to wit the situation arising out of the recent Police firings reported to have taken place at Hospet, on 16th August 1957, as a consequence of which two persons have been killed, and further to discuss that such action was not warranted and to elicit from the Government whether they have enquired into the details of the incident and the action taken."

Police Firing in Hospet.

*Sri C. M. POONACHA (Minister for Home Affairs and Industries).—Sir, Government, with intense regret, received information relating to some disturbances in the town of Hospet on the 16th of August during the Independence Day celebrations. As the Hon'ble Members would have already known by this time, the disturbances arose on account of some clash that occurred in front of a masjid while the procession was being led through. I can only in brief narrate certain facts connected with this incident. But I would not be able to go beyond certain limits as the matter is pending before a court of law. And, also an enquiry has already been ordered to enquire into the incidents. The facts are, as are already known, that on the 15th, the Independence Day celebrations as arranged by the Celebrations Committee of Hospet went off very peacefully by leading prabhat pheries, various processions, etc., all over the town, including the very area where subsequently the next day these incidents took place. Next day, the Municipal Committee had organised this procession and later on a public meeting was also arranged . . . .

Sri C. J. MUCKANNAPPA.—I rise to a point of order, Sir. Rule 43(1) says :

> "The Speaker if he gives consent under rule 40 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the Assembly."

In this case, the member was not asked to make a motion. Hence, I want to know whether the procedure now adopted is in order or whether the Chair should allow the member to move the motion.

Mr. SPEAKER.—The Hon'ble Member is not aware that there are two things. One is that leave has to be given by the Speaker and the other is that leave has to be given by the House. After the leave is granted by the Speaker to move it in this House, the motion will have to be made and then rule 43 will apply. I have not as yet given my consent to move the adjournment motion and before I give that consent I want to know from the Government what they have to say in the matter and I want to know from the member why he wants to have my consent in this respect.

Sri C. J. MUCKANNAPPA.—If there is no such permission granted to move this motion, I think the Minister need not make a statement because the House is not seized of the motion before the House.

Mr. SPEAKER.—The House is not yet seized of the motion. The Hon'ble Member is confusing the two things, namely, the consent of the Speaker and leave of the House. The consent of the Speaker in some cases is given without consulting the House. In some cases, the Speaker may like to hear both from the Government and from the party concerned before arriving at a conclusion as to whether the consent should be given or not. We are now at this stage. We have not come to the stage of rule 43.

*Sri A. BHEEMAPPA NAIK (Challakere).—I rise to a point of order, Sir. The Hon'ble Minister was just now telling us that an enquiry was being held and so the matter is *sub judice*. Under those circumstances, would it be proper for us to make any statement which might prejudice either this party or that party ? The statement made by the Minister might prejudice the parties concerned. I, therefore, feel that after he made the statement that the matter was *sub judice*, he should not be allowed to make any further verbal statements.

Mr. SPEAKER.—I want to know what is meant by *sub judice*. Is the matter before a court of law or before an officer who is going to make an enquiry or investigation ?

Sri C. M. POONACHA.—Cases have been framed and certain persons have been charge-sheeted and the matter is before accourt of law. An officer has also been asked to conduct certain enquiries into the matter.

Mr. SPEAKER.—In that case, the statement will have to be made very carefully.

Sri A. BHEEMAPPA NAIK.—Any statement made by the Minister might be construed by the concerned Advocates or the Pleaders for the defendants or the Prosecution as prejudicing the case. So, after the Minister has made the statement that the matter is *sub judice*, this is not the stage when any further statements should be allowed to be made by him, no matter how carefully they might be made. It is not for us to decide whether that statement would be non-prejudicial or not. Therefore, I would submit that the Hon'ble Minister should not be allowed to make any further statements.

Mr. SPEAKER.—So far as the point raised by the Hon'ble Member Sri Bheemappa Naik is concerned, it carries good substance. But at the same time, I would request the Hon'ble the Home Minister to be as careful as possible while making any statement. Matters *sub judice* should not be disclosed because it is likely that they might prejudice the case. The Minister may make remarks only on matters which are not *sub judice*.

Sri H. M. CHANNABASAPPA (Krishnarajanagar).—Sir, I rise on a point of order. Rule 42(f) says that the motion must not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India. Therefore, *prima facie* it is inadmissible and it would not be in order to allow either the mover or the Government to make any statement or to say anything on this motion. Therefore, permitting the Government to make a statement of any kind whatsoever on this subject would not be in order.

Sri Y. VEERAPPA (Holenarasipur).—While drafting this motion, the mover was not aware that proceedings have been instituted in a court of law.

Mr. SPEAKER.—It is not necessary to state that here. I am now concerned with the point of order raised by the Hon'ble Member Sri Channabasappa and then we will go to the other point. The rule is that the motion must not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India. But there is no motion before the House. So, that point does not arise at all. Now, it has been pointed out that some matters are *sub judice*. Naturally, I am not going to allow the Minister to make a statement on those matters which are *sub judice*. Before I come to a conclusion I must know what the Government has to say on matters which are not *sub judice*. That is why I am allowing the Hon'ble Minister to make the statement.

Sri A. BHEEMAPPA NAIK.—I am sorry that even after hearing that the matter is *sub judice* the Chair feels that it can allow the Minister to make the statement. The point is not whether there is a motion before the House or not, but the point is that a statement made by the Minister migth go further than a motion. When it is definitely known that the matter is under adjudication, should a statement be allowed to be made by the Minister? The accused might consider that that statement has prejudiced the case.

Mr. SPEAKER.—There are two points. One is the motion and the other is the statement. So far as the question of the motion is concerned, there is no motion at all before this House. The motion is yet to be made. As regards the statement, it should not refer to any matters which are *sub judice*, and if the Hon'ble the Home Minister makes any remarks about matters which are *sub judice*, I will surely take action and I will not allow them. Remarks about matters which are not *sub judice* can be made here. Let us wait till the Hon'ble the Home Minister makes a few remarks and then let us judge afterwards. If he makes a reference to matters which are *sub judice*, I assure I will not allow him to do so.

Sri M. C. NARASIMHAN.—May I know whether you have given a ruling?

Mr. SPEAKER.—Yes.

*Sri H. M. CHANNABASAPPA.—The Chair is yet to give a decision whether it is admissible or inadmissible. The Government has at least intimated to the Chair that the question pertains to certain matters which are under

adjudication in a court of law. Therefore, *prima facie* it is inadmissible. What is left to the Chair is to give a ruling whether it is admissible or inadmissible. If the Chair wants to hear the views of either the mover or the Government on the admissibility or otherwise, then I can understand the Chair allowing the member or the Government to say a few words without touching the point, but my case is that *prima facie* it is inadmissible under rule 42(f) and, therefore either the Government or the member or anybody else in this House is forbidden to make any statement whatever on the motion itself either about its admissibility or otherwise.

Mr. SPEAKER.—I must correct the Hon'ble Member Sri Channabasappa at this stage. I have already said that there was no motion in this House.

Sri A. BHEEMAPPA NAIK.—Any statement connected with it will be prejudicial. We cannot allow the matter to be discussed in this House.

Mr. SPEAKER.—I cannot understand the anxiety of some Hon'ble Members. I have settled it and I think I have settled it satisfactorily. I have held that the points raised by the Hon'ble Member Sri Bheemappa Naik were correct so far as matter *sub judice* was concerned; but, if there are any remarks which are not pertaining to any matter which is before a court of law, they can be made here. With this I close the chapter. I have already said that there was no motion in this House. I am only trying to understand whether the adjournment motion should be allowed or not and that is preliminary to making any motion in this House.

Sri A. BHEEMAPPA NAIK.—When the matter is so clear and when it is *sub judice*, the rule is that that matter shall not be discussed in the House.

Mr. SPEAKER.—I have already given my ruling. So I would request the Hon'ble Member Sri Bheemappa Naik not to rake it up again.

Sri A. BHEEMAPPA NAIK.—I have not yet been able to follow what the ruling is.

Mr. SPEAKER.—The ruling is that there is no motion in this House. I am only just trying to see whether I can allow the motion to come before the House. The second point is that, so far as the statement is concerned, any remarks pertaining to a matter which is *sub judice* cannot be allowed, but if there are any remarks on matters which are not *sub judice* then they can be made. I am trying to see whether there are any remarks of that nature.

Sri A. BHEEMAPPA NAIK.—Can there be any statement or discussion without a motion? When there is no motion, there cannot be any talk about it in the House.

Mr. SPEAKER.—There can be. For instance, in half-an-hour discussions, there is not even a motion at all. When half-an-hour discussion is taken up in this House, absolutely there is no motion before the House. So far as adjournment motions are concerned, the practice is to allow or disallow adjournment motions so far as possible in the chamber itself, but if there are matters which are of a very important nature ...

Sri A. BHEEMAPPA NAIK.—There is a different ruling for half-an-hour discussion. But for other discussions there must be a definite motion before the House.

Mr. SPEAKER.—I must tell the Hon'ble Member that I do not agree with him in saying that there is any motion in this House. There is no motion before the House. There should be an end to this matter, but if he goes on persisting, I am very sorry he is doing injustice to the Chair.

*Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—Under the rules there are two different things. One is whether the subject for discussion is in order or not and that matter will have to be admitted or disallowed by the Chair. That is one aspect.

Mr. SPEAKER.—We are in that stage.

Sri V. P. DEENADAYALU NAIDU.—So that will have to be decided by the Chair and there cannot be any discussion on that. Then, there is another aspect and that is under rule 43(2) which deals with objection to leave being granted. That is for the House to decide. So when the question is thrown open to discussion, we come to

(SRI V. P. DEENADAYALU MAIDU)

the second stage. What we are placing before the Chair is that the matter is *sub judice* and there cannot be any discussion and so the question of its admissibility or otherwise must be decided by the Speaker on that basis.

Mr. SPEAKER.—I have already said that we are not in the second stage. We are in the preliminary stage of rule 43 and the question is whether I should give consent to the motion or not. There are different methods by which consent may be given or withheld. Mostly, it is either allowed or not allowed in the chamber by the Speaker. In some cases where the Speaker feels that the matter should be discussed before the permission is granted the matter is brought before the House. It is only in such cases that the matter comes before the House for its views. We are now at that stage. There is actually no motion as such.

So far as making a statement is concerned, I have already said that any statement with regard to a matter which is *sub judice* cannot be made and so, I can say I have upheld Sri Bheemappa Naik's point in respect to that; but if there are any remarks which are not pertaining to the matter which is *sub judice*, they can be made. In the circumstances, I cannot understand why such an attitude is being taken by some of the Hon'ble Members.

Sri A. BHEEMAPPA NAIK.—There is already sufficient material before the Speaker to decide whether this question should be allowed or not. If there was any way of doubt about its not being before a court of law, I could have understood the need for further statement, but when the Home Minister has made a definite and unequivocal statement that the matter is before a court of law, then the material is sufficient to decide whether that question should be allowed or not and the Chair has to decide the question on the material available.

Sri G. VENKATAI GOWDA (Palaiyam).—Sir, some of us on this side may be heard.

Sri U. M. MADAPPA (Chamarajanagar).—Sir, I rise to a point of order.

Mr. SPEAKER.—Let me first of all dispose of the first point of order.

Sri H. M. CHANNABASAPPA.—Sir, I am not able to hear what the Chair speaks.

Mr. SPEAKER.—I will make it heard. The Hon'ble Member may please take his seat.

Sri H. M. CHANNABASAPPA.—In all humility, I submit that the Chair also should have some restraint in treating the members of this House.

Mr. SPEAKER.—What have I done? I have been saying that when there is one point of order, another point of order cannot be raised. I will come to that point of order later on. Let me dispose of the first point of order raised by Sri Bheemappa Naik. I will allow other members who want to speak in favour or against that point of order first. Then I will come to your point of order.

Sri H. M. CHANNABASAPPA.—Am I to take it that the first point of order is still undisposed of and my point of order also is undisposed of?

Mr. SPEAKER.—Your point of order has been disposed of. The point of order that was raised in the beginning by Sri Bheemappa Naik also has been disposed of. Sri Bheemappa Naik has now raised a different point and that is whether the remarks made by the Hon'ble Minister are really on a matter *sub judice* or not. That is the point before the House.

Sri M. C. NARASIMHAN.—The question appears to be as to whether the motion can be admitted or not. What has been going on now is that 'leave cannot be given or that it should not be admitted' is only being canvassed. You were pleased to hear only the other side, but there might be a second side to it, namely, that leave should be given. That view has to be placed before you and that is what we are trying to do.

Mr. SPEAKER.—I have not yet completed hearing the Hon'ble Minister for Home. Let me hear him. I will hear the other side also. After the Hon'ble Minister for Home makes his remarks, I am going to hear the other side as well.

(*Sri Suryanarayana Rao rose.*)

2-30 P.M.

Mr. SPEAKER.—Have I not said that I am going to call other members also ?

Sri K. S. SURYANARAYANA RAO (Mysore City).—Just a word. So far as the Speaker calling me to sit down is concerned, I may say that I am here in the last Bench and even if I try to catch the eye of the Speaker, it has not become possible and even the mike does not work. Under such circumstances, we are under a handicap. Whenever I rise to offer my comments on the matter, I have not been able to catch the eye of the Speaker, even if I tried half a dozen times. I am extremely sorry.

Mr. SPEAKER.—There need be no heat, there need be no fury. After all, the Hon'ble Member should know that the eyes of the Speaker are not perfect. They are imperfect. So, naturally, if I am not able to catch some people, you will excuse me because I am not perfect. So far as the mike is concerned, I know there is that difficulty. Even yesterday he complained about it. I can understand his difficulty if he says that he is also standing and that he must have a chance to speak. But what I cannot understand is his being louder in his remarks and feelings.

Sri K. S. SURYANARAYANA RAO.—Am I assured that I will be heard in this matter?

Mr. SPEAKER.—Yes.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಜನರಲ್ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಅಧ್ಯಕ್ಷರು ಒಬ್ಬ ಸದಸ್ಯರ ಹೆಸರನ್ನು ಕರೆದ ತಕ್ಷಣ ಮತ್ತೊಬ್ಬ ಸದಸ್ಯರು ಅದನ್ನು ರೆಸ್‌ಪೆಕ್ಟ್ ಮಾಡಬೇಕು. ಅಧ್ಯಕ್ಷರ ರೂಲಿಂಗಿಗೆ ತಲೆ ಬಾಗಬೇಕು. ಈಗ ನೋಡಿದ್ದರಲ್ಲಿ ರೂಲ್ಸುಗಳನ್ನು ಪಾಲಿಸುತ್ತಾ ಇಲ್ಲ. ತಮ್ಮ ರೂಲಿಂಗಿಗೆ ಬೆಲೆ ಕೊಡುತ್ತಾ ಇಲ್ಲ ಎಂದು ಕಾಣುತ್ತದೆ. ಈ ಸಭೆಯಲ್ಲಿ ಜಾಗ್ರತೆ ಒಂದು ಆರ್ಡರ್ ಬರುವಂತೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ

ಅಧ್ಯಕ್ಷರು.—ತಾವು ಹೇಳುವುದು ಸರಿಯಿದೆ. ಆದಷ್ಟು ಸದಸ್ಯರು ತಮ್ಮ ಮೇಲೆ ತಾವೇ ರಿಸ್ಟ್ರಿಕ್ಷನ್ ಹಾಕಿ ಕೊಂಡರೆ ಒಳ್ಳೆಯದು. ಪ್ರತಿಯೊಂದು ಸಲವೂ ಸ್ಪೀಕರು ರೂಲಿಂಗ್ ಕೊಡಬೇಕೆಂದು ಹೇಳಿದರೆ ಅತರಹ ರೂಲಿಂಗ್ ಕೊಡುವುದಕ್ಕೆ ಆಗುತ್ತದೆಯೇ ? ಏನಾದರೂ ಹೇಳಿದರೆ ಅವರ ಮೇಲೆ ಆರೋಪಣೆ ಮಾಡುತ್ತಾರೆ " You are not respecting the member's wishes" ಎಂದು ಹೇಳುತ್ತಾರೆ. ಈ ತರಹ ಹತ್ತು ಮಂದಿ ಒಂದೇ ಸಾರಿ ನಾನು, ನಾನು ಎಂದು ಎದ್ದು ನಿಂತರೆ, ಅಧ್ಯಕ್ಷರು ಎಲ್ಲರನ್ನೂ ಕುಳಿತುಕೊಳ್ಳಿ ಎಂದು ವಿಷಾದದಿಂದ, ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಸದಸ್ಯರು ತಮ್ಮ ಮೇಲೆ ರಿಸ್ಟ್ರಿಕ್ಷನ್ ಹಾಕಿ ಕೊಳ್ಳಬೇಕೇ ವಿನಾ ಎಲ್ಲವನ್ನೂ ಸ್ಪೀಕರ್ ಆದವರೇ ಮಾಡಬೇಕೆಂದು ನಿರೀಕ್ಷಣೆ ಮಾಡುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ.

Sri G. N. PUTTANNA (Tumkur).—I rise to a point of order. I want a clarification.

Mr. SPEAKER.—Clarification cannot be a point of order.

Sri K. S. SURYANARAYANA RAO.—Sir, from the Rules of Procedure, I do not make out any rule which empowers the Minister to make a statement on his own accord.

Mr. SPEAKER.—He has not made the remarks of his own accord. He has made his remarks as I have called him to make the remarks.

Sri K. S. SURYANARAYANA RAO.—I only wish to say a few words. An impression is being created that matters though *sub-judice* are being commented upon in this House. This was pointed out at the last session and the Speaker was quite alive to the fact but still the matter went off. The matter is now before the criminal court. The circumstances that led to the occurrence are as important as the incident itself. Therefore, if the Minister were to say anything in this matter, it is very likely to be made use of against the prosecution. Therefore, whatever be the merits or otherwise of this case, I appeal to the Speaker not to allow either the motion or the Minister to make a statement on this particular subject. I have once before said that before taking a decision on such matters, if the member moving an adjournment motion was allowed to explain the position, the Speaker would be in a better position to give his ruling. Now that the whole matter has been discussed and the Speaker is being made fully aware that the matter is *sub-judice*,— whether it is an official tribunal or a judicial tribunal,—and the matter is before the criminal court, I appeal to the Speaker not to allow the matter to be spoken of in this House.

Mr. SPEAKER.—I have to repeat what I have said many a time. The difficulty in the case of Sri Suryanarayana Rao seems to be that on that side he is

(MR. SPEAKER)

not able to hear me. So far as the procedure is concerned, the rules are not exhaustive. In Lok Sabha, Speaker in some cases allows a sort of a small, discussion before he decides to give his consent or withdraw his consent to the motion. This is exactly on a model of the Lok Sabha. In other cases, the adjournment motions are disallowed in the chamber itself. So far as the procedure is concerned, I am following the Lok Sabha procedure and the procedure of the Lok Sabha to my mind in this case seems to be correct. Of course, I could have disallowed the motion in my chamber. I thought that since this was an important matter, it should be discussed to a certain extent so that I could come to a proper decision. So far as the remarks made by Sri Suryanarayana Rao are concerned, namely, that I should not allow the Hon'ble Minister to make his remarks in matters which we are *sub judice*, I have always said that I was in agreement with the Hon'ble Member and I am not going to allow any such thing to occur. But there are matters which may not pertain to matters which are *sub judice* and which will have to be allowed. The Hon'ble Member perhaps is not willing to hear what the Hon'ble Minister wants to say. If I feel that the Hon'ble Minister persists in making remarks of a nature which are *sub judice*, I will not allow that. I assure the Hon'ble Members that if they bring that to my notice, I will at once take steps and stop the Hon'ble Minister from making any such remarks.

Sri A. BHEEMAPPA NAIK.—Who is to decide that the matter is prejudicial to the accused or prosecution? Is it the judge or is it the Speaker? Is it the Minister or is it the Speaker?

Mr. SPEAKER.—It is the Speaker.

Sri A. BHEEMAPPA NAIK.—How can the Speaker judge the case? When a case is before the court of law, it is not correct that any statement should be allowed to be made. How can the Speaker decide whether a particular matter should not be allowed? It is for the accused to decide whether that matter is prejudicial to him or not. It is for the judge to say that. Therefore with due deference to you, Sir, you have no right to decide about a matter being prejudicial or otherwise. You have only a right to say when a matter is *sub judice* that it cannot be discussed. Beyond that, this Hon'ble Chair has no right to decide that a certain portion of the matter is prejudicial and certain portion is not. This Hon'ble Chair has no right. That is my contention.

ಶ್ರೀ ಪೆ. ವೀರಪ್ಪ.—ಈ ಸಭೆಯಲ್ಲಿ ಅಧ್ಯಕ್ಷರು ಯಾವುದಾದರೂ ತೀರ್ಮಾನ ಕೊಟ್ಟರೆ, ಅದನ್ನು ಒಪ್ಪಿ ಅದರಂತೆ ನಡೆದುಕೊಂಡು ಹೋಗುವ ಪದ್ಧತಿ ಹಿಂದಿನಿಂದ ನಡೆದುಕೊಂಡು ಬಂದಿದೆ. ಒಂದು ನಿಮ್ಷಂ ಪ್ರದಾಯಕ್ಕೆ ಬೆಲೆ ಕೊಟ್ಟುಕೊಂಡು ಹೋಗಬೇಕೆಂದು ಇದೆ. ಅದನ್ನು ನನ್ನ ಮಾನ್ಯ ಮಿತ್ರರಾದ ಶ್ರೀ ಭೀಮಪ್ಪ ನಾಯಕರಿಗೆ ಹೇಳಬೇಕಾಗಿದೆ.

Sri V. P. DEENADAYALU NAIDU.—I rise to a point of order.

Mr. SPEAKER.—He is replying to the point of order.

Sri A. BHEEMAPPA NAIK.—I do not require any advice from anybody.

Sri C. J. MUCKANNAPPA.—It is a reflection cast on the Members of this House.

Mr. SPEAKER.—I am not able to understand the implication of what Sri Bheemappa Naik is saying. Does he mean to say that I should get a Judge in this House to tell me whether a matter is *sub-judice* or not? I have perfect right to judge what is *sub judice* and what is not. This is my ruling. It cannot in any way be questioned. Whenever any matter comes up in this House whether it is *sub judice* or not, it is the right of the Chair to decide. When once I say it is my right nobody can question it. There can be no argument about it. With great respect to my friend, I tell him that he is not fair and heis not treating the Chair fairly.

*Sri C. M. POONACHA.—Sir, with abundant precaution, I prefaced my observation to say that the matter was before a court of law and also an independent enquiry had been set up. Having made that observation, I was, in brief, going to narrate a few facts and then conclude to say that the motion could not be taken up for discussion and that leave should be refused. I was just on the point of making that observation and at that time these discussions took place. I was just making this submission to the

Chair that the matter had been seized by a court of law and also Government had ordered an independent enquiry. That is also postponed now in deference to the fact that the matter is seized by a competent court of law. In view of these things, this House will not be able to accept or admit this motion for discussion and leave should be refused. I submit to the Chair that it would not be proper to admit this adjourn- ment motion for discussion.

Sri V. P. DEENADAYALU NAIDU.—Sir, the Hon'ble Minister was saying that leave of the House should be refused. That is in the second stage of the question. The first stage is whether the Speaker admits it or not. It is only after the motion is admitted, the question of giving leave comes.

Mr. SPEAKER.—That is what he said; he said that it should not be admitted; I do not see any difficulty in this.

Sri Arumugham wanted to say something.

*Sri C. M. ARUMUGHAM (Kolar Gold Fields).- I am very happy that the Speaker has taken about 45 minutes of this House over this matter (Laughter). But, what was needed was the statement of the Home Minister. The whole of the Opposition members were with the Chair. We wanted to know as to what happened as regards this affair. We have heard it from the Home Minister. I thank the Chair very much for giving us the opportunity of hearing the Home Minister.

Mr. SPEAKER.—After hearing both the sides, I am not in a position to allow this motion; I do not give the consent.

Explosion of Chandramandala in Mysore.

Mr. SPEAKER.—Now, the other Adjournment Motion about the incident at Mysore.

Sri C. M. POONACHA (Minister for Home Affairs and Industries).—I thought that the Chair would not allow the Adjournment Motion.

Mr. SPEAKER.—I will decide after I hear you.

Sri C. M. POONACHA.—Sir, with deep regret I make the following statement with reference to a very unfortunate incident that happened at Mysore.

Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—I rise to a point of order this connection. In dealing with Adjournment Motions the provision is that not more than one such motion should be made at the same sitting. We had enough and more discussion on one subject. We cannot take up the other.

Sri C. M. POONACHA.—My Hon'ble friend seems to make a good deal of confusion with regard to the rule in spite of the fact that he has it in his own hands. In fact, no motion is discussed. This is the first one. The previous one was disallowed.

Mr. SPEAKER.—The rule applies when there is a motion; there is no motion at all. I am just trying to understand whether I should give my consent to the motion to be brought in the House.

Sri C. M. POONACHA.—Sir, on the 15th of August, during the Independence Day Celebrations in Mysore, programmes were drawn up for the observance of the Independence Day Celebration on a grand scale. The morning functions went off very happily.

Sri K. S. SURYANARAYANA RAO (Mysore City)—I rise to a point of order. The Hon'ble Home Minister seems to make a statement on the incident that took place in Mysore City on the 15th August. I believe it is within the knowledge of the Minister and if it is not, I would like to bring it to his notice that the matter is before a court and the matter has already been subjected to judicial scrutiny. Therefore, even on this motion the Minister cannot make a statement.

Mr. SPEAKER.—Is it *sub judice*?

Sri K. S. SURYANARAYANA RAO.—Yes.

Sri C. M. POONACHA.—I want to differ from my Hon'ble friend. It is not *sub judice*.

Dr. T. PARTHASARATHY (Malleswaram).—Sir, I wish the Hon'ble Member produces some evidence to show that